

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

IZUCHUKWU UMEJESI,)	
)	
Petitioner,)	
)	
v.)	C.A. No. 1:22-cv-00251-SE
)	
WARDEN, FCI BERLIN,)	
)	
Respondent)	
)	

DECLARATION OF ROBERT ROULEAU, CASE MANAGEMENT COORDINATOR

I, ROBERT ROULEAU, hereby make the following declaration:

1. I am employed by the United States Department of Justice, Federal Bureau of Prisons (“BOP”), as the Case Management Coordinator (“CMC”) at the Federal Correctional Institution in Berlin, New Hampshire (“FCI Berlin”). I have held this position since November 21, 2021, and I have been employed by the BOP since February 28, 2010.
2. The CMC’s Office is dedicated to providing oversight of case management activities within the institution. This office works directly with the unit teams, providing training and disseminating information to ensure that the institution is in compliance with Correctional Programs' policies and procedures. The CMC provides coordination and oversight of many programs within the institution, including, but not limited to, Central Inmate Monitoring, Financial Responsibility, Admission and Orientation, Inmate Performance Pay, Victim/Witness Program and Adam Walsh Act compliance. The CMC also oversees the Correctional Systems Department.
3. To perform my official duties as Case Management Coordinator, I have access to records regarding federal prisoners maintained in the ordinary course of business in the BOP. This information includes, but is not limited to, documentary records, Judgment and Commitment files, BOP Program Statements, and records maintained in the Bureau of Prisons computerized data base, SENTRY.
4. I am aware inmate Izuchukwu Umejesei, Reg. No. 78602-112 (“Petitioner”), filed the above-captioned petition challenging the Bureau of Prisons’ determination that he is ineligible for the application of First Step Act (“FSA”) time credits due to his detainer from U.S. Immigration and Customs Enforcement (“ICE”).
5. On May 24, 2021, Petitioner was sentenced by the U.S. District Court for the Central District of California to a 60-month term of imprisonment with a three-year term of

supervision for Conspiracy to Engage in Money Laundering, in violation of 18 U.S.C. § 1956(h). Petitioner's current projected release date via good conduct time is December 29, 2023. A true and accurate copy of the Sentence Computation Monitoring Data for Izuchukwu Umejese, Reg. No. 78602-112, is attached hereto as **Attachment 1**.

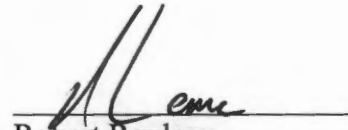
6. Petitioner was held in a BOP contract facility until April 6, 2022, at which time he transferred to FCI Berlin. A true and accurate copy of the Admission-Release History for Izuchukwu Umejese, Reg. No. 78602-112, is attached hereto as **Attachment 2**.
7. On or about April 14, 2022, ICE lodged a detainer against Petitioner based on: 1) the pendency of ongoing removal proceedings; 2) biometric confirmation of Petitioner's identity and a records check of federal databases that affirmatively indicated, by themselves or in addition to other reliable information, that Petitioner either lacks immigration status or notwithstanding such status is removable under U.S. law; and/or 3) statements Petitioner made to an immigration officer and/or other reliable evidence that affirmatively indicated Petitioner either lacks immigration status or notwithstanding such status is removable under U.S. law. A true and accurate copy of the Detainer, dated April 14, 2022, is attached hereto as **Attachment 3**.
8. My staff at FCI Berlin contacted ICE to confirm the detainer on August 24, 2022. During that conversation, ICE confirmed the validity of the detainer and its intention to take custody of Petitioner upon his release from BOP custody to continue removal proceedings.
9. My understanding is that BOP's Program Statement on the application of First Step Act time credits is in the final stages and will be forthcoming in the near future. This Program Statement is expected to specify that prisoners with detainees cannot apply FSA time credits until resolution of the detainer. In the meantime, on June 24, 2022, the Assistant Director of BOP's Correctional Program Division issued a memorandum which stated (in relevant part):

Under the First Step Act of 2018, inmates are eligible to earn Federal Time Credits (FTCs) which can be applied toward pre-release community placement and early release. To apply the credit earned, an inmate must otherwise be eligible to participate in pre-release placement. Therefore, an inmate must not have detainees or unresolved pending charges. Additionally, the Office of Information Technology (OIT) is developing a fully automated system for both calculating and applying FTCs. For this to be accomplished, both detainees and unresolved pending charges must be tracked in SENTRY.

A true and accurate copy of the Memorandum from Assistant Director Catricia Howard, dated June 24, 2022, is attached hereto as **Attachment 4**.

I declare the foregoing is true and correct to the best of my knowledge and belief, and given under penalty of perjury pursuant to 28 U.S.C. § 1746.

Executed this 12th day of September, 2022.



Robert Rouleau
Case Management Coordinator
FCI Berlin, New Hampshire